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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/824,690	04/04/2001	John Schmidt	1330.1086	9661

21171 7590 07/15/2004  
STAAS & HALSEY LLP  
SUITE 700  
1201 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER


PHAM, CHRYSTINE

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/824,690	<b>Applicant(s)</b> SCHMIDT ET AL. 	
	<b>Examiner</b> Chrystine Pham	<b>Art Unit</b> 2122	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 April 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/10/2001</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 430 (FIG.3).
2. The drawings are objected to under 37 CFR 1.83(a) because they fail to show reference numbers 580 and 420 **as described** in the specification. For example, FIG.3 shows 580 referencing *Logical Interface Model*. However, the specification states "... logical systems infrastructure model 580 ..." (pg. 47 line 3). FIG.3 also shows 420 referencing *Build* phase, however, the specification states "... test phase 420 ..." (pg.10 2<sup>nd</sup> to last par. – line 4). Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d).
3. FIG.1 and 3 are objected to under 37 CFR 1.84(a)(2) as the color drawings must be of sufficient quality such that all details in the drawings are reproducible in black and white in the printed patent.
4. Corrected drawing sheets, or amendment to the specification to add the reference character(s) in the description, are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

**Specification**

5. The abstract of the disclosure is objected to because it includes legal phraseology (i.e., "said", line 2-5). Correction is required. See MPEP § 608.01(b).
6. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

**Claim Rejections - 35 USC § 102**

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless –*

*(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.*

8. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).
9. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Bowman-Amuah (US 6405364), hereinafter *Bowman-Amuah*.

As per claim 1, *Bowman-Amuah* teaches a method for integrating business functions (e.g., FIG.2 & associated text, col.9 : 48-55 & also 62-65) performed by different application systems (e.g., col.16 : 15-20), comprising:

- generating a business model, based upon said application systems (e.g., col.4 : 19-22, col.5 : 28-32);
- generating a logical model, based upon said business model (e.g., FIG.12 *logical data modeler* & 1102 & associated text, col.4 : 34-40, col.72 : 34-40, col.73 : 3-8);
- generating a physical model, based upon said logical model (e.g., col.73 : 3-8, col.74 : 39-48);
- designing an infrastructure, based upon said physical model (e.g., col.36 : 26-30, FIG.2 & associated text, col.73 : 3-12);
- assembling the infrastructure (e.g., col.15 : 2-9);
- testing the infrastructure (e.g., col.15 : 2-9); and
- implementing the infrastructure (e.g., FIG.2 & associated text, col.9 : 48-55, col.15 : 55-57).

As per claim 2, *Bowman-Amuah* teaches a method for integrating business functions performed by different application systems as applied to claim 1, wherein said business model comprises:

- a process domain model (e.g., see *Usability* col.37 : 26-30);
- a information domain model (e.g., col.8 : 37-42, col.19 : 27-29, col.51 : 19-23);
- a system infrastructure model (e.g., col.4 : 5-18); and
- an operations model (e.g., col.86 : 1-7, col.77 : 25-35).

As per claim 3, *Bowman-Amuah* teaches a method for integrating business functions performed by different application systems as applied to claim 1, wherein said logical model comprises:

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- a logical process event model (e.g., see Abstract - *process modeling & event modeling*, col.77 : 37-38 & 43-47);
- a logical data model (e.g., FIG.12 *logical data modeler & 1102* & associated text, col.4 : 34-40, col.72 : 34-40, col.73 : 3-8);
- a logical infrastructure model (e.g., col.73 : 38); and
- an operations architecture (e.g., FIG.1 & associated text).

As per claim 4, *Bowman-Amuah* teaches a method integrating business functions performed by different application systems as applied to claim 1, wherein said physical model comprises:

- a physical process event model (e.g., see *flow diagram* col.77 : 25-29);
- a physical data model (e.g., col.87 : 6-10, col.88 : 26-33);
- a physical infrastructure model (e.g., col.88 : 35-52);
- an operations management model (e.g., col.67 : 38-90, see *startup & shutdown* line 40-49, & *Backup & Restore* line 50-60) and
- a test strategy (e.g., col.2 : 49-55, FIG.11 *Testing 1106* & associated text).

As per claim 5, *Bowman-Amuah* teaches a method integrating business functions performed by different application systems as applied to claim 1, wherein designing an infrastructure comprises:

- generating an integration services design (e.g., col.78 : 12-20);
- generating a data transformation design (e.g., col.36 : 45-49, col.72 : 54-58);
- generating a performance test plan (e.g., col.80 : 7-10, col.84 : 24-26);
- generating a production readiness test plan (e.g., col.43 : 46-50, FIG.6 *user acceptance test 612* & associated text); and
- generating an integration test plan (e.g., col.25 : 17-20, FIG.13 *release testing 1342* & associated text).

As per claim 6, *Bowman-Amuah* teaches a method for integrating business functions performed by different application systems as applied to claim 1, wherein assembling the infrastructure comprises:

- o building and testing integration components (e.g., FIG.6 *assembly test 608 & unit test 600 & 606* & associated text);
- o developing operations procedures (e.g., col.43 : 57-60, FIG.4 *operate dev.environment & service developers* & associated text); and
- o building test scenarios, scripts and cases (e.g., col.26 : 35-41, col.102 : 49-61).

As per claim 7, *Bowman-Amuah* teaches a method for integrating business functions performed by different application systems as applied to claim 1, wherein testing the infrastructure comprises:

- o executing integration test scenarios (e.g., see *packets* col.26 : 36-44);
- o executing performance test scenarios (e.g., see *prototypes* col.37 : 26-42); and
- o testing production operations (e.g., see *product test* col.43 : 31-45).

As per claim 8, *Bowman-Amuah* teaches a method for integrating business functions performed by different application systems as applied to claim 1, wherein implementing the infrastructure comprises:

- o validating the infrastructure (e.g., see *problem management* col.14 : 60-67, see *validation* col.12 : 59-64);
- o installing the infrastructure (e.g., see *roll out* col.43 : 64 - col.44 : 2); and
- o operating the infrastructure (e.g., see *level of service* col.43 : 61-63).

As per claim 9, *Bowman-Amuah* teaches a method for integrating business functions performed by different application systems, comprising:



- implementing business applications (e.g., FIG.5 *coding* & associated text, col.3 : 61-64); and
- integrating the implemented business applications by using a framework to consistently divide integration tasks into smaller manageable integration tasks (e.g., FIG.2 & associated text, FIG.10 & associated text, col.18 : 11-20).

As per claim 10, *Bowman-Amuah* teaches a method for integrating business functions performed by different applications systems as applied to claim 9, wherein said implementing business applications and said integrating the implemented business applications are separate and distinct operations (e.g., FIG.5 *application team 500* & associated text, *Technology Infrastructure team* col.15 : 56-57, see *application & infrastructure* col.15 : 2-7) .

As per claims 11-14, they recite limitations which have been addressed previously in claims 1-10, therefore, are rejected for the same reasons as cited in claims 1-10.

As per claim 15. A repeatable EAI lifecycle methodology, comprising:

- integrating enterprise application systems (e.g., e.g., FIG.2 & associated text, col.9 : 48-55 & also 62-65, col.16 : 15-20);
- maintaining the integrated enterprise application systems (e.g., FIG.7 *maintenance 702* & associated text);
- modifying the integrated enterprise application systems (e.g., see *improving the performance and maintenance of the system* in Abstract); and
- expanding the integrated enterprise application systems (e.g., col.54 : 4-14).

### **Conclusion**

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:
- Business components framework, Underwood (US 6601233)

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- o Piecemeal retrieval in an information services patterns environment, Bowman-Amuah (US 6550057)

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chrystine Pham whose telephone number is 703.605.1219. The examiner can normally be reached on Mon-Fri, 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q Dam can be reached on 703.305.4552. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**TUAN DAM**  
**SUPERVISORY PATENT EXAMINER**

Chrystine Pham  
Examiner  
GAU 2122